

## Staff Report

**SIDEWALK SNOW REMOVAL POLICIES**

December 8, 2009

**BACKGROUND:**

In January 2009, the City Council directed staff “to explore what other communities are doing to force property owners to make sidewalks passable in adverse condition.” As a result of this direction, staff conducted an informal survey of eight cities concerning their policies on removing snow and ice accumulations from their sidewalks. Staff surveyed the following five university cities: Iowa City; Fort Collins, Colorado; Boulder Colorado; Madison, Wisconsin; and Lincoln, Nebraska. Staff also contacted three other cities in Iowa: Des Moines, West Des Moines, and Ankeny.

All but two of the cities surveyed give residents 24 hours after the snow stops falling before the city would take action. (Des Moines allows 48 hours, while Lincoln gives until the following day at 9:00 a.m.) After 24 hours, the cities can then remove the snow and ice accumulations from sidewalks and assess the property owner the actual cost for removal plus other incidental costs such as inspection, administration, etc. Des Moines appears to be the only one that has a schedule of administrative penalties beginning with an assessment of \$50.00 for the first offense, \$75.00 for the second, and \$100.00 for third and all subsequent offenses. This administrative penalty is in addition to the cost of removing the snow or ice.

Of the eight cities surveyed, three cities (Ankeny, Lincoln, and Iowa City) indicated they handle snow and ice removal on sidewalks based on complaints only. The other five are predominantly complaint based as well. However, in those cities they also proactively monitor specific areas such as high pedestrian traffic areas, school areas, and areas with a significant elderly population.

The City of Ames’ current policy is complaint-based, which means staff must receive a complaint prior to taking action. Once the complaint is received, staff then inspects the sidewalk to confirm its condition. If the sidewalk has not been cleared, staff posts a notice on the front door of the property stating they have 24 hours from the time on the notice to remove the snow and/or ice. If the work is not done within the 24-hour period stated on the notice, staff then hires a contractor to remove the snow and assesses the actual cost billed from the contractor, plus a \$50.00 administrative fee, to the property owner.

Of the approximately 100 notices that were issued during the winter of 2008/09, eighty of those were “repeat offenders.” Approximately forty of the “repeat offenders” violated the snow removal ordinance three or more times during the winter months.

## **OPTIONS:**

### **Option 1 – Retain Current Enforcement Policy**

Under this option, City staff will continue to enforce the sidewalk snow removal ordinance based on complaints received.

### **Option 2 - Change enforcement policy to be proactive in all areas of the City**

Under this option, City staff would inspect the entire City after each snow and ice accumulation to determine where violations were occurring. Since staff initially is focused on removing snow and ice from the City's streets, it would be difficult to accomplish this task in a timely manner given the same level of personnel.

### **Option 3 - Change enforcement policy to be proactive in selected areas of the City**

Under this option, City staff would inspect high priority areas determined by the City Council (e.g., high pedestrian traffic areas and areas in close proximity to schools). This approach will involve a large portion of the City. Since staff initially is focused on removing snow and ice from City streets, it could be quite challenging to accomplish this task in a timely manner given the same level of personnel.

### **Option 4 – Change enforcement policy to be proactive for multiple offenses**

Under this option, City staff would proactively inspect properties for which complaints that resulted in removal notices have been received after two snow/ice events in one season. Since our existing staff initially is focused on removing snow and ice from City streets, it might require two to three days for these proactive inspections to be accomplished given the same level of personnel. If the City Council desires to be more proactive in the enforcement of the removal of ice and snow from sidewalks, this approach appears to be the most manageable.

## Sidewalk Snow & Ice Removal Policies: Proactive vs. Complaint-based

<u>City, State</u>	<u>Proactive</u>	<u>Complaint-based</u>
Ankeny, IA		X
W. Des Moines, IA	X	X
Lincoln, NE		X
Iowa City, IA		X
Madison, WI	X	X
Fort Collins, CO	X	X
Des Moines, IA	X	X
Boulder, CO	X	X

**\*Comments:** The above cities showing they do both stated they were mostly complaint-based in their response to snow/ice removal, but indicated they also proactively patrol high pedestrian-traffic areas, areas near schools, and areas near elderly populations